

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, August 16, 2011, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Alderman Benjamin K. Mallicote
Alderman Michael McIntire

Vice-Mayor Tom C. Parham
Alderman Tom Segelhorst

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
Lisa Winkle, Comptroller/Deputy City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Rolling Thunder Vietnam Veterans, Chapter 969.
- II.B. **INVOCATION:** By Anthony Daniels, Interim Pastor – Mafair United Methodist Church.
- III. **ROLL CALL:** By Lisa Winkle – Comptroller/Deputy City Recorder.
Absent: Alderman Jantry Shupe
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Recognition of Domtar – Governor's Award for Environmental Excellence. Mayor Phillips commended Domtar employees for their active role in reducing solid waste, helping the landfill and saving local farmers \$900,000 with their wood ash.
 2. Veteran's Memorial Check Presentation – Sam Jones. A check for \$1,000 was presented to the City of Kingsport.
 3. Keep Kingsport Beautiful Beautification Awards – Robin Cleary.
- V. **APPROVAL OF MINUTES.**

Motion/Second: McIntire/Parham, to approve minutes for the following meetings:

- A. August 1, 2011 Regular Work Session
- B. August 2, 2011 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.** None.

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A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Amend the Various Funds to Adjust Budgets for Year End (AF: 193-2011). City Manager Campbell explained this was an effort to clean up accounts in order to get a balanced budget.

Motion/Second: Joh/McIntire, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND AND THE HEALTH INSURANCE FUND FOR FISCAL YEAR ENDING JUNE 30, 2011; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Consideration of an Ordinance to Amend the Special School Projects Fund (AF: 213-2011).

Motion/Second: Parham/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE SPECIAL SCHOOL PROJECTS FUND FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.

D. OTHER BUSINESS.

1. Consideration of a Resolution Authorizing the Mayor to Execute a Right-of-Way Easement with Kingsport Power Company (AF: 200-2011). City Manager Campbell stated the location of this easement was on Industry Drive for the surplus warehouse building.

Motion/Second: Joh/McIntire, to pass:

Resolution No. 2012-019, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSFORT POWER COMPANY

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Mayor to Execute Right-of-Way Easements with Kingsport Power Company (AF: 201-2011). City Manager Campbell stated this easement allowed power poles to be moved for Phase IV of the Gibson Mill project, further explaining this item spanned from roundabout to roundabout, including the bridge.

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Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2012-020, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE RIGHT-OF-WAY EASEMENTS WITH KINGSFORT POWER COMPANY

Passed: All present voting "aye."

3. Consideration of a Resolution Rescinding the Award of the Bid for the Purchase of Road Salt to Claiborne Hauling Contractors, LLC and Awarding the Bid to Cargill, Inc. for FY12 (AF: 198-2011). City Manager Campbell stated that Claiborne Hauling Contractors could not perform in regards to this multi-city bid, therefore the award will go to the second lowest bidder.

Motion/Second: Parham/McIntire, to pass:

Resolution No. 2012-021, A RESOLUTION RESCINDING THE AWARD OF BID FOR PURCHASE OF ROAD SALT TO CLAIBORNE HAULING CONTRACTORS, LLC ; AWARDED THE BID TO CARGILL, INC.; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing the Mayor to Execute a Right-of-Way Easement with Kingsport Power Company (AF: 212-2011). City Manager Campbell stated this easement was for the connection of New Beasonwell Road to Fire Station 8.

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2012-022, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSFORT POWER COMPANY

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with Holston Valley Futbol Club to Provide a Recreational Youth Soccer Program and Concessions at Eastman Park (AF: 215-2011). City Manager Campbell noted this has been an ongoing arrangement for 35 years.

Motion/Second: Parham/Segelhorst, to pass:

Resolution No. 2012-023, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE HOLSTON VALLEY FUTBOL CLUB TO PROVIDE A RECREATIONAL YOUTH SOCCER PROGRAM AND A CONCESSIONS AGREEMENT AT EASTMAN PARK

Passed: All present voting "aye."

6. Consideration of a Resolution Authorizing the Mayor to Execute Right-of-Way Easements with Kingsport Power Company (AF: 216-2011). City Manager Campbell stated this easement involved moving power poles on Stage Road. Public Works Director Ryan McReynolds explained the power company was trying to cut trees.

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Motion/Second: Joh/McIntire, to pass:

Resolution No. 2012-024, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSFORT POWER COMPANY

Passed: All present voting "aye."

7. Consideration of a Resolution Ratifying the Purchase of Math Textbooks by the City of Kingsport School Systems (AF: 217-2011). City Manager Campbell provided details on this item, noting the cost of \$650,000 to the Tennessee Book Company. Mayor Phillips commented this was for math books only.

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2012-025, A RESOLUTION RATIFYING THE PURCHASE OF MATH TEXTBOOKS BY THE KINGSFORT CITY SCHOOL SYSTEM

Passed: All present voting "aye."

8. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary for a Contract Amendment with James Madison University to Convert 10 Additional City Vehicles to Propane (AF: 219-2011). City Manager Campbell gave details on this item, noting the vehicles to be converted were police cruisers. This program pays for the package to convert and saves approximately \$900 a year per vehicle. Alderman Joh, pointed out that these converted vehicles were faster than gasoline vehicles.

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2012-026, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE GRANT AGREEMENT WITH JAMES MADISON UNIVERSITY FOR THE VIRGINIA CLEAN CITIES PROPANE AUTOGAS CORRIDOR PROJECT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

9. Consideration of a Resolution Authorizing the Mayor to Execute and Sign All Documents Necessary to Enter into an Agreement with the United States Department of Justice (DOJ) to Allow the Kingsport Police Department to Participate in the Federal Asset Forfeiture Program (AF: 221-2011).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2012-027, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE TO ALLOW THE KINGSFORT POLICE DEPARTMENT TO PARTICIPATE IN THE FEDERAL ASSIST FORFEITURE PROGRAM AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

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10. Consideration of a Resolution Approving the Final Change Orders to Close Out the Parking Garage Project with KEDB (AF: 218-2011).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2012-028, A RESOLUTION AMENDING THE AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT FOR THE CONSTRUCTION OF THE PARKING GARAGE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE AMENDMENT

Passed: All present voting "aye."

11. Consideration of a Resolution to Approve an Offer to Purchase and Authorize the Mayor to Execute All Documents Necessary for the Acquisition of Properties Located at 113 Devault Street (AF: 222-2011). City Manager Campbell provided details on this item, stating these three parcels were needed for the Riverwalk Project for \$75,000. This will also complete the last segment of the Greenbelt in this area. Alderman Joh commented that it may seem like backwards way to do it, by voting since the offer has not been made yet, but it is required.

Motion/Second: Parham/Joh, to pass:

Resolution No. 2012-029, A RESOLUTION APPROVING AN OFFER TO PURCHASE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR THE PURCHASE OF PROPERTY LOCATED AT 113 DEVAULT STREET

Passed: All present voting "aye."

12. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Arts Builds Community Grant from the Tennessee Arts Commission (AF: 224-2011).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2012-030, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ARTS BUILD COMMUNITY GRANT FROM THE TENNESSEE ARTS COMMISSION

Passed: All present voting "aye."

13. Consideration of a Resolution Setting FY12 Fees and Charges Provided for in the City Code (AF: 179-2011). Mayor Phillips commented that all the adjustments discussed last night at the work session have been made.

Motion/Second: McIntire/Joh, to pass:

Resolution No. 2012-031, A RESOLUTION SETTING THE RATES, FEES AND CHARGES AS PROVIDED BY THE CITY OF KINGSPORT CODE OF ORDINANCES

Passed: All present voting "aye."

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E. APPOINTMENTS/REAPPOINTMENTS.

All Appointments/Reappointments were considered under one motion.

Motion/Second: McIntire/Parham, to approve the following:

1. Consideration of an Appointment to the Public Arts Committee
(AF: 203-2011).

Approve:

APPOINTMENT OF MS. JANELLE SWAFFORD TO SERVE A THREE-YEAR TERM ON THE **PUBLIC ARTS COMMITTEE**, EFFECTIVE IMMEDIATELY AND EXPIRING JUNE 30, 2014.

Passed: All present voting "aye."

**2. Consideration of an Appointment and Reappointments to the
Bays Mountain Park Commission** (AF: 209-2011).

Approve:

APPOINTMENT OF MS. MARY STEADMAN AND REAPPOINTMENTS OF MR. WILLIAM LEONARD AND MR. CHARLES BEGGEROW TO SERVE ON THE **BAYS MOUNTAIN PARK COMMISSION**, EFFECTIVE IMMEDIATELY AND EXPIRING ON APRIL 30, 2014.

Passed: All present voting "aye."

**3. Consideration of Reappointments to the Employee Dependent
Scholarship Committee** (AF: 210-2011).

Approve:

REAPPOINTMENTS OF MS. CEEGEE MCCORD AND MR. JIMMY WALKER TO SERVE ON THE **EMPLOYEE DEPENDENT SCHOLARSHIP COMMITTEE**, EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2014.

Passed: All present voting "aye."

4. Consideration of Reappointments to the Beverage Board
(AF: 211-2011).

Approve:

REAPPOINTMENTS OF MR. CHARLES NITSCHKE AND MR. KEENER MALLICOTE TO SERVE ON THE **BEVERAGE BOARD**, EFFECTIVE SEPTEMBER 1, 2011 AND EXPIRING AUGUST 31, 2014.

Passed: All present voting "aye."

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VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Joh/McIntire, to adopt:

1. Consideration of an Ordinance to Appropriate Cultural Arts Funding Received from the East Tennessee Foundation Arts Fund (AF: 195-2011).

Adopt:

Ordinance No. 6104, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BY APPROPRIATING GRANT FUNDS RECEIVED FOR THE CAROUSEL PROJECT FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. None.

B. MAYOR AND BOARD MEMBERS. Alderman McIntire gave notice that First Broad Street United Methodist Church would be holding their 100 year celebration at Meadowview Convention Center on August 28, 2011 and invited everyone to attend.

Alderman Joh pointed out that Domtar was sponsoring a carousel animal, a lynx, in honor of lynx paper. She stated there were visitors everyday at the workshop and invited everyone to come by.

Alderman Segelhorst recognized Boy Scout Joshua Miller from Troop #48, who was in attendance with his mother, in an effort to earn his Citizenship in the Community merit badge.

Vice-Mayor Parham commented on the successful completion of the parking garage, noting that it was on schedule and within budget. Downtown merchants have expressed they were glad their customers have parking now.

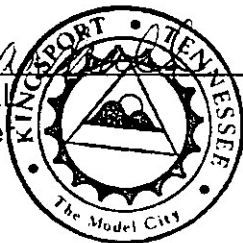
Mayor Phillips thanked the Rolling Thunder veterans (#979) for supporting the City, noting they did not have to donate \$1,000, but that it was greatly appreciated. The Mayor also thanked Domtar and other industries that are concerned about the environment.

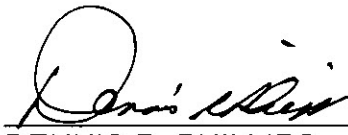
C. VISITORS. None.

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IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 7:45 p.m.


ANGELA MARSHALL
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor